

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN SLEEP-DISORDERED BREATHING  
TREATMENT SYSTEMS AND COMPONENTS  
THEREOF**

**Investigation No. 337-TA-890**

**NOTICE OF COMMISSION DETERMINATION DENYING COMPLAINANTS'  
MOTION TO MODIFY THE ADMINISTRATIVE PROTECTIVE ORDER**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to deny a motion by complainants ResMed Corporation of San Diego, California; ResMed Incorporated of San Diego, California; and ResMed Limited of New South Wales, Australia (collectively, "ResMed") to modify the administrative protective order ("APO") issued in this investigation.

**FOR FURTHER INFORMATION CONTACT:** Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on August 23, 2013, based on a complaint filed by ResMed. The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain sleep-disordered breathing treatment systems and components thereof that infringe one or more claims of several U.S. patents. The notice of investigation named the following respondents: BMC Medical Co., Ltd. of Beijing, China ("BMC"); 3B Medical, Inc. and 3B Products, L.L.C. both of Lake Wales, Florida. The Commission terminated the investigation on December 23, 2014.

On December 14, 2015, ResMed filed a motion to modify the APO to allow for production of confidential business information obtained under the APO in a district court proceeding. On December 23, 2015, respondent BMC filed an opposition to the motion.

The Commission has determined to deny ResMed's motion.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton  
Secretary to the Commission

Issued: April 6, 2016